

BILL NO. 94-41

AS AMENDED

COUNTY COUNCIL  
OF  
HARFORD COUNTY, MARYLAND

BILL NO. 94-41 (as amended)

Introduced by Council Member Pierno

Legislative Day No. 94-15

Date May 17, 1994

AN ACT to repeal and reenact, with amendments, Section 267-13, Comprehensive Zoning Review, of Article II, Administration and Enforcement, of Part 1, Standards, of Chapter 267, Zoning, of the Harford County Code, as amended; to revise the procedures for comprehensive zoning reviews in the county; ~~to specify the persons who may request zoning changes during such reviews; to prohibit the County Council from considering requests for zoning changes during such reviews unless the requests were filed by a certain deadline;~~ to require that certain notices be given and certain notices be posted during such reviews, under certain circumstances; to impose certain requirements in connection with such notices; ~~to change from 1 year to 2 years the period during which the Board of Appeals is prohibited from granting a rezoning on the basis of a change in the character of a neighborhood following a comprehensive zoning review;~~ and generally relating to comprehensive zoning review.

By the Council, May 17, 1994

Introduced, read first time, ordered posted and public hearing scheduled

on: June 14, 1994

at: 6:00 p.m.

By Order: James D. Vannoy, Acting Secretary

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on June 14, 1994 and concluded on June 14, 1994

James D. Vannoy  
Acting Secretary

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

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1 Section 1. Be It Enacted By The County Council of Harford  
2 County, Maryland, That Section 267-13, Comprehensive Zoning Review,  
3 of Article II, Administration and Enforcement, of Part 1,  
4 Standards, of Chapter 267, Zoning, of the Harford County Code, as  
5 amended, be, and it is hereby, repealed and reenacted with  
6 amendments, to read as follows:

7 Chapter 267. Zoning.

8 Part 1. Standards.

9 Article II. Administration and Enforcement.

10 Section 267-13. Comprehensive Zoning Review.

11 A. Periodic review required.

12 (1) Commencing with the first legislative session in  
13 September 1987 and every [eight (8)] 8 years thereafter, the  
14 Director of Planning shall submit to the County Council a written  
15 report and recommendations to initiate a comprehensive zoning  
16 review for all or part of the county.

17 [(2) The provisions of this section shall not preclude  
18 any Council member from introducing a resolution requesting a  
19 review of the current zoning of the county or the Director of  
20 Planning from instituting a request to review and recommend  
21 comprehensive zoning of the county during the interim period set  
22 forth in this section.]

23 (2) A COMPREHENSIVE ZONING REVIEW MAY BE INITIATED AT  
24 ANY OTHER TIME BY ORDER OF THE COUNTY EXECUTIVE OR BY LEGISLATIVE  
25 ACT OF THE COUNTY COUNCIL.

B. Preparation.

(1) The Director of Planning shall prepare revisions to the Zoning Maps and regulations in a comprehensive manner for consideration and adoption by the Council. [Such comprehensive zoning review may be initiated by order of the County Executive or by legislative act of the Council.] [Proposed] THE PROPOSED revisions [or amendments to the Zoning Maps and regulations] shall be compatible with all elements of the Master Plan as adopted by the Council.

(2) [The] AFTER PREPARING THE REVISIONS, THE Director of Planning shall [prepare proposed revisions and amendments for approval by the County Council to the Zoning Maps and regulations and] submit [the same] THEM to the Planning Advisory Board for its review and comment. [A Comprehensive Zoning Map for a substantial part of the county may be considered and adopted by the County Council.]

C. Application. {An owner of property may request a zoning change for the property during comprehensive zoning review by applying to the Department of Planning and Zoning at a time and in a form to be designated by the Director of Planning.} ~~DURING THE COMPREHENSIVE ZONING REVIEW PROCESS, REQUESTS FOR CHANGES IN ZONING TO PROPERTY MAY BE FILED BY THE PROPERTY OWNER, THE DEPARTMENT, AND ANY MEMBER OF THE COUNTY COUNCIL. SUCH REQUESTS SHALL BE FILED WITH THE DEPARTMENT AT A TIME AND IN A FORM DESIGNATED BY THE DIRECTOR OF PLANNING. THE DEPARTMENT SHALL NOT ACCEPT ANY ADDITIONAL REQUESTS AFTER THE DEADLINE ESTABLISHED BY THE DIRECTOR.~~

1 Each application shall be considered by the Director of Planning  
2 in the comprehensive zoning review process. ~~WHEN SUCH A REQUEST~~  
3 ~~IS FILED BY THE DEPARTMENT OR A COUNCIL MEMBER IF THE DEPARTMENT~~  
4 ~~RECOMMENDS A CHANGE IN THE ZONING FOR A PROPERTY WHEN THE PROPERTY~~  
5 ~~OWNER HAS NOT REQUESTED A CHANGE~~, THE DEPARTMENT SHALL GIVE WRITTEN  
6 NOTICE OF THE RECOMMENDATION TO THE OWNER ~~OF THE PROPERTY FOR WHICH~~  
7 ~~THE ZONING CHANGE HAS BEEN REQUESTED~~ AND TO EACH OWNER OF PROPERTY  
8 WHICH ABUTS THE PROPERTY FOR WHICH THE CHANGE HAS BEEN REQUESTED.  
9 THE NOTICE SHALL BE MAILED AT LEAST 30 CALENDAR DAYS BEFORE THE  
10 PUBLIC HEARING CONDUCTED ON THE DIRECTOR'S FINAL REPORT BY THE  
11 COUNCIL.

12 D. Council action.

13 (1) After review by the Planning Advisory Board, the  
14 County Executive shall submit to the Council the comprehensive  
15 revisions and amendments to the Zoning Maps and regulations  
16 contained in the final report of the Director of Planning. The  
17 Council shall conduct a public hearing, giving public notice, which  
18 shall be published once a week for [two (2)] 2 consecutive weeks  
19 in at least [two (2)] 2 newspapers of general circulation in the  
20 county. During the period of Council review, the final report of  
21 the Director of Planning, containing the provisions and amendments  
22 to the Zoning Maps and regulations, together with the comments of  
23 the Planning Advisory Board, shall be on public display in the  
24 county office building and in a public facility located in each  
25 [councilmanic] COUNCIL district.

1           (2) AT LEAST 21 CALENDAR DAYS BEFORE THE PUBLIC HEARING  
2 CONDUCTED BY THE COUNCIL, THE DIRECTOR OF PLANNING SHALL ENSURE  
3 THAT EACH PROPERTY FOR WHICH THE PROPERTY OWNER HAS REQUESTED A  
4 ZONING CHANGE IS POSTED WITH A NOTICE STATING THE DATE, TIME, AND  
5 LOCATION OF THE HEARING AND THE TELEPHONE NUMBER OF THE DEPARTMENT.  
6 THE NOTICE SHALL BE ON A SIGN MEASURING AT LEAST 22 INCHES BY 28  
7 INCHES, WITH BLACK LETTERING, AND SHALL BE PLACED CONSPICUOUSLY ON  
8 THE PROPERTY NEAR THE RIGHT-OF-WAY LINE OF EACH PUBLIC ROAD ON  
9 WHICH THE PROPERTY FRONTS. THE DEPARTMENT MAY ASSESS THE APPLICANT  
10 A FEE NOT EXCEEDING \$100 OR THE ACTUAL COST, WHICHEVER IS LESS, FOR  
11 THE POSTING. FOLLOWING THE POSTING, THE PROPERTY OWNER SHALL USE  
12 REASONABLE EFFORTS TO MAINTAIN THE NOTICE IN A CONDITION VISIBLE  
13 TO THE PUBLIC UNTIL THE HEARING DATE.

14           [2] (3) Any [alterations or] changes to the report of the  
15 Director of Planning shall be voted upon by the Council as  
16 individual issues. ~~THE COUNCIL SHALL NOT CONSIDER ANY REQUEST FOR~~  
17 ~~A CHANGE IN ZONING FOR A PROPERTY UNLESS THE REQUEST WAS FILED ON~~  
18 ~~OR BEFORE THE DEADLINE ESTABLISHED BY THE DIRECTOR OF PLANNING~~  
19 ~~UNDER SUBSECTION C OF THIS SECTION.~~ A PROPERTY OWNER SHALL SUBMIT  
20 JUSTIFICATION FOR ANY REQUEST MADE TO THE COUNCIL FOR A CHANGE IN  
21 ZONING FOR A PROPERTY THAT HAS NOT BEEN SUBMITTED TO THE DEPARTMENT  
22 ON OR BEFORE THE DEADLINE ESTABLISHED UNDER SUBSECTION C OF THIS  
23 SECTION.

24           E. Suspension of zoning reclassification.

25           (1) Notwithstanding any provisions of this Code, during  
26 the period of preparation and review of proposed comprehensive

1 revisions or amendments to the Zoning Maps, no applications for  
2 zoning reclassification shall be accepted by the county, except as  
3 provided in Subsection C OF THIS SECTION, and such a request shall  
4 be considered in the preparation or modification of the proposed  
5 comprehensive revisions or amendments to the Zoning Maps.

6 (2) The hearing examiner shall complete public hearings  
7 and issue a decision for [all] EACH existing zoning  
8 reclassification [applications] APPLICATION as soon as practicable.  
9 The Director of Planning [and Zoning] shall [also] review [the  
10 request of the applicant in such case] EACH SUCH APPLICATION as a  
11 part of [its] THE comprehensive zoning review process as if the  
12 application had been filed pursuant to Subsection C OF THIS  
13 SECTION.

14 (3) No zoning reclassification of property shall, for  
15 a period of [~~one (1) year~~] ~~2 YEARS~~ 1 YEAR after the adoption, by  
16 Bill, of the comprehensive zoning maps applicable thereof, be  
17 granted by the County Council, sitting as the Board of Appeals, on  
18 the ground that the character of the neighborhood has changed.

19  
20 EFFECTIVE: September 19, 1994  
21

94-41

AS AMENDED

HARFORD COUNTY BILL NO. 94-41 (as amended)(Brief Title) Comprehensive Rezoning Procedures

is herewith submitted to the County Council of Harford County for enrollment as being the text as finally passed.

CERTIFIED TRUE AND CORRECT

ENROLLED

James D. Vannoy  
Acting Secretary  
of the Council

James D. Vannoy  
President of the Council

Date July 7, 1994

Date July 7, 1994

BY THE COUNCIL

Read the third time.

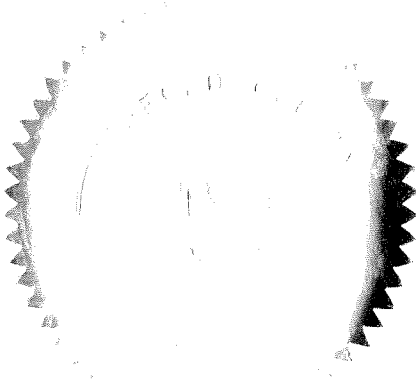
Passed: LSD 94-21 (July 7, 1994)

Failed of Passage: \_\_\_\_\_

By Order

James D. Vannoy  
Acting Secretary

Sealed with the County Seal and presented to the County Executive for approval this 11th day of July, 1994 at 3:00 p.m.



James D. Vannoy  
Acting Secretary

BY THE EXECUTIVE

William M. Robinson  
COUNTY EXECUTIVE

APPROVED: Date July 19, 1994

BY THE COUNCIL

This Bill (No. 94-41, as amended), having been approved by the Executive and returned to the Council, becomes law on July 19, 1994.

James D. Vannoy  
Acting Secretary

EFFECTIVE DATE: September 19, 1994

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